JUL 2 0 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Application of: Kolterman et al.

Confirmation No.: 2741 Serial No.: 09/889,330

Filed: December 27, 2001 For: Novel Exendin Agonist Formulations and Methods of Administration Thereof

Examiner: Samuel W. Liu

Document

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Amanda Halverson

Group Art Unit: 1653

Atty Docket No: 249/146US

No. of Pages

Transmittal Form (PTO/SB/21)	1
Response Under 37 C.F.R. 1.111	19
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Application Number ** novaes 330** 09/889.330 TRANSMITTAL Filing Date December 27, 2001 FORM First Named Inventor Kolterman 1653 (to be used for all correspondence after initial filing) Examiner Name Samuel W. Uv Attorney Docket Number 249/146US Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication Fee Transmittal Form Drawing(s) to Technology Center (TC) Appeal Communication to Board Licensing-related Papers of Appeals and Interferences Fee Attached Appeal Communication to TC -Amendment/Reply (9) (Appeal Notice, Brief, Reply Brief) Petition to Convert to a Proprietary Information After Final **Provisional Application** Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Terminal Disclaimer identify below): Extension of Time Request Request for Refund Express Abandonment Request CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm James E. Butler, Reg. No. 40,931 Individual name Signature Date 2004 July 20) CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name Amanda Halverson Date July 20, 2004 Signature

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Sir:

In response to the Office action dated May 19, 2004, Applicants respectfully submit the following amendments and remarks in connection with the above-identified application.

Amendments to the Specification begin on page 2 of this response.

Amendments to the Claims are reflected in the listing of claims beginning on page 5 of this response.

Remarks begin on page 15 of this response.